UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,496	09/01/2006	Alain Rhelimi	09669/093001	1844

22511   7590   08/19/2009

OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON, TX 77010

EXAMINER
DOAN, TRANG T

ART UNIT	PAPER NUMBER
2431	

NOTIFICATION DATE	DELIVERY MODE
08/19/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com
buta@oshaliang.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 May 2009*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *01 November 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☒ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is in response to the amendment filed on 05/11/2009.

2.   Claims 1-21 have amended.

3.   Claims 1-21 are pending for consideration.

Response to Arguments

4.   Applicants have added the new drawings therefore the objection to the Drawings
has been withdrawn.

5.   The objection to the specification has been withdrawn.

6.   Applicants have amended the claims therefore the objection to the claims has
been withdrawn.

7.   Applicant's argument with respect to the 35 U.S.C. 101 rejection has been fully
considered in view of the amendment filed on 05/11/2009, which has been made in
record, and the 35 U.S.C. 101 rejection has been withdrawn.

8.   Applicant's argument with respect to the 35 U.S.C. 112, 2nd paragraph, rejection
has been fully considered in view of the amendment filed 6/5/2007, which has been
made in record, and the 35 U.S.C. 112, 2nd paragraph, rejection has been withdrawn.

9.   Applicant's arguments filed on 05/11/2009 have been fully considered but they
are not persuasive.

       Applicant argues that Wilkinson does not disclose a different execution
environment on the retrievable token. Examiner respectfully disagrees. Wilkinson does
disclose a different execution environment on the retrievable token (i.e., smart card)

(Wilkinson: column 5 lines 51-57: first instructions may include byte codes for a first type of virtual machine, and the second instructions may include byte codes for a second type of virtual machine. The first type is different from the second type). Wilkinson further discloses the first instruction of a first application and the second instruction of a second application are stored on a memory of the smart card (Wilkinson: column 6 lines 9-17 and lines 28-35). Therefore, the two JVMs (Java virtual machine) do execute inside of the smart card.

Claim Rejections - 35 USC § 102

10.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11.   Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilkinson et al. (US 6308317) (hereinafter Wilkinson).

Regarding claim 1, Wilkinson discloses an authentication and/or rights containing retrievable token such as an IC card comprising at least one physical channel of communication to at least one apparatus and at least two logical channels of communication with said at least one apparatus wherein each logical channel of communication is associated with a different execution environment on the retrievable token (Wilkinson: see figure 11 "translation of original byte codes for a different virtual

machine architecture"; column 3 lines 51-58; column 4 lines 50-67; column 5 lines 41-57; and column 6 lines 9-17 and lines 28-35).

Regarding claim 2, Wilkinson further discloses wherein the retrievable token is a Multi Media Memory card (Wilkinson: column 2 lines 36-45; and column 19 lines 5-10).

Regarding claim 3, Wilkinson further discloses wherein the apparatus is a mobile communication handset (Wilkinson: column 19 lines 5-10).

Regarding claim 4, Wilkinson further discloses wherein the apparatus is a personal computer (Wilkinson: column 7 lines 43-56).

Regarding claim 5, Wilkinson further discloses wherein said at least one physical channel of communication is configured to use USB protocol (Wilkinson: column 7 line 66 through column 8 line 8).

Regarding claim 6, Wilkinson further discloses wherein said at least one physical channel of communication is configured to use SPI protocol (Wilkinson: column 2 lines 36-45; and column 19 lines 5-10; and column 7 line 66 through column 8 line 8).

Regarding claim 7, Wilkinson further discloses wherein said at least one the physical channel of communication is configured to use MMC protocol (Wilkinson:

column 2 lines 36-45; and column 19 lines 5-10; and column 7 line 66 through column 8 line 8).

Regarding claim 8, Wilkinson further discloses wherein aid at least one physical channel of communication is configured to use a protocol for contactless smart card (Wilkinson: column 2 lines 36-45; and column 19 lines 5-10) (column 2 lines 36-45; and column 19 lines 5-10; and column 7 line 66 through column 8 line 8).

Regarding claim 9, Wilkinson further discloses wherein the protocol of communication is defined in the ISO (FCD) 15693 (column 2 lines 36-45; and column 19 lines 5-10; and column 7 line 66 through column 8 line 8).

Regarding claim 10, Wilkinson further discloses wherein the protocol of communication is defined in the ISO 14443 (column 2 lines 36-45; and column 19 lines 5-10; and column 7 line 66 through column 8 line 8).

Regarding claim 11, Wilkinson further discloses wherein at least one of the physical channels of communication is configured to use at least one the protocol defined in the TS 102.221 standard (column 2 lines 36-45; and column 19 lines 5-10; and column 7 line 66 through column 8 line 8).

Regarding claim 12, Wilkinson further discloses wherein at least one of the
physical channels of communication is configured to use at least one the protocol
defined in the ISO 7816 standard (column 2 lines 36-45; and column 19 lines 5-10; and
column 7 line 66 through column 8 line 8).

Regarding claim 13, Wilkinson further discloses wherein said retrievable token
includes at least two physical channels and at least one of said physical channels is
independent from the other(s) (Wilkinson: column 4 lines 50-67; and column 18 lines
25-30).

Regarding claim 14, Wilkinson further discloses wherein said retrievable token
comprises at least two applications, wherein the retrievable token is configured to
execute each of the applications independently in a different one of the different
execution environments, and wherein said retrievable token comprises a resource that
is shared between said at least two applications (Wilkinson: column 5 lines 41-57).

Regarding claim 15, Wilkinson further discloses wherein the retrievable token
comprises an access condition list (ACL) and said resource is shared by said at least
two applications on the basis of said access condition list (ACL) (Wilkinson: column 4
lines 25-31).

Regarding claim 16, Wilkinson further discloses wherein the resource is a shared file, and wherein said access conditions of the access conditions list (ACL) associates respective applications with respective operations on the shared file thereby authorizing said respective applications to perform said respective operations on the shared file (Wilkinson: column 17 lines 36-64).

Regarding claim 17, Wilkinson further discloses wherein the resource is a shared object on which data is written in a "first in first out" (FIFO) manner and wherein access conditions are defined in the access conditions list (ACL) associating respective applications with respective operations on the shared object thereby authorizing said respective applications to perform said respective operations on the shared object (Wilkinson: column 11 lines 24-36; column 17 lines 36-64; and column 18 lines 25-30).

Regarding claim 18, Wilkinson further discloses wherein the retrievable token stores and runs a operating system which is common to said applications in the different execution environments and wherein the resource is a shared function that is implemented by the operating system and for which access conditions are defined in the access conditions list (ACLs) which specify respective rights of the applications to invoke said shared function (Wilkinson: column 17 lines 36-64; column 11 lines 24-35; and column 18 lines 25-30).

Regarding claim 19, Wilkinson further discloses wherein a first application of the at least two applications is configured to share a function with a second application of the two application by allowing the second application to invoke the function and where access conditions list (ACL) are defined in the retrievable token for the second application to access the shared function (Wilkinson: column 17 lines 36-64; column 11 lines 24-35; and column 18 lines 25-30).

Regarding claim 20, Wilkinson further discloses wherein the retrievable token is configured to execute said two applications simultaneously (Wilkinson: column 5 lines 41-57; and column 11 lines 24-35).

Regarding claim 21, Wilkinson further discloses wherein the retrievable token is configured to implement a communication protocol between said applications in the two different execution environments, wherein the communication protocol enables secure sharing of data and/or functions between the two applications (Wilkinson: column 5 lines 41-57; and column 11 lines 24-35).

Conclusion

12.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to TRANG DOAN whose telephone number is (571)272-

0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trang Doan/
Examiner, Art Unit 2431

/Christopher A. Revak/

Primary Examiner, Art Unit 2431